

Fill in this information to identify the case:

United States Bankruptcy Court for the:

DISTRICT OF UTAH

Case number (if known) Chapter 11

☐ Check if this an amended filing

Official Form 205

Involuntary Petition Against a Non-Individual

12/15

Use this form to begin a bankruptcy case against a non-individual you allege to be a debtor subject to an involuntary case. If you want to begin a case against a non-individual, use the *Involuntary Petition Against an Individual* (Official Form 105). Be as complete and accurate as possible. If more space is needed, attach any additional sheets to this form. On the top of any additional pages, write debtor's name and case number (if known).

Part 1: Identify the Chapter of the Bankruptcy Code Under Which Petition Is Filed

1. Chapter of the Bankruptcy Code Check one:

☐ Chapter 7  
☒ Chapter 11

Part 2: Identify the Debtor

2. Debtor's name CS Mining, LLC

3. Other names you know the debtor has used in the last 8 years

Include any assumed names, trade names, or doing business as names.

4. Debtor's federal Employer Identification Number (EIN) ☒ Unknown

EIN

5. Debtor's address

Principal place of business

Mailing address, if different

1208 S 200 W

Number Street

Milford

UT

84751

City State Zip Code

Beaver

County

Number Street

P.O. Box 608

P.O. Box

Milford

UT

84751

City State Zip Code

Location of principal assets, if different from principal place of business

Number Street

City State Zip Code

6. Debtor's website (URL) www.csmining.com

7. Type of debtor ☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))  
☐ Partnership (excluding LLP)  
☐ Other type of debtor. Specify:

8. Type of debtor's business Check one:

Debtor **CS Mining, LLC** Case number (if known) \_\_\_\_\_

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))  
☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))  
☐ Railroad (as defined in 11 U.S.C. § 101(44))  
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))  
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))  
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))  
☒ None of the types of business listed.  
☐ Unknown type of business.

9. To the best of your knowledge, are any bankruptcy cases pending by or against any partner or affiliate of this debtor?

☒ No  
☐ Yes. Debtor \_\_\_\_\_ Relationship \_\_\_\_\_  
 District \_\_\_\_\_ Date filed \_\_\_\_\_ Case number, if known \_\_\_\_\_  
 MM / DD / YYYY  
 Debtor \_\_\_\_\_ Relationship \_\_\_\_\_  
 District \_\_\_\_\_ Date filed \_\_\_\_\_ Case number, if known \_\_\_\_\_  
 MM / DD / YYYY

**Part 3: Report About the Case**

10. Venue Check one:

☒ Over the last 180 days before the filing of this bankruptcy, the debtor had a domicile, principal place of business, or principal assets in this district longer than in any other district.  
☐ A bankruptcy case concerning debtor's affiliates, general partner, or partnership is pending in this district.

11. Allegations Each petitioner is eligible to file this petition under 11 U.S.C. § 303(b). The debtor may be the subject of an involuntary case under 11 U.S.C. § 303(a).

At least one box must be checked:

☒ The debtor is generally not paying its debts as they become due, unless they are in the subject of a bona fide dispute as to liability or amount.  
☐ Within 120 days before the filing of this petition, a custodian, other than a trustee, receiver, or agent appointed or authorized to take charge of less than substantially all of the property of the debtor for the purpose of enforcing a lien against such property, was appointed or took possession.

12. Has there been a transfer of any claim against the debtor by or to any petitioner?

☒ No  
☐ Yes. Attach all documents that evidence the transfer and any statements required under Bankruptcy Rule 1003(a).

| 13. Each petitioner's claim | Name of petitioner                    | Nature of petitioner's claim        | Amount of the claim above the value of any lien |
|-----------------------------|---------------------------------------|-------------------------------------|---|
|                             | R.J. Bayer Professional Geologist, LC | Services provided to CS Mining, LLC | \$ 66,110                                       |
|                             | Minerals Advisory Group, LLC          | Services provided to CS Mining, LLC | \$ 83,312.67                                    |
|                             | Rollins Construction & Trucking, LLC  | Services provided to CS Mining, LLC | \$ 481,210.62                                   |
|                             | Rollins Machine, Inc.                 | Services provided to CS Mining, LLC | \$ 48,030.51                                    |
|                             | Oxbow Sulphur, Inc.                   | Goods provided to CS Mining, LLC    | \$ 1,572,235.13*                                |
|                             | Total of petitioners' claims          |                                     | \$ 2,250,898.93                                 |

If more space is needed to list petitioners, attach additional sheets. Write the alleged debtor's name and the case number, if known, at top of each sheet. Following the format of this form, set out the information required in Parts 3 and 4 of the form for each statement under penalty of perjury set out in Part 4 of the form, followed by each additional petitioner's (or representative's) signature, along with the signature of the petitioner's attorney.

\* This amount reflects the minimum amount due and owing to Oxbow Sulphur, Inc ("Oxbow"). Oxbow reserves the right to amend or supplement this amount to include additional damages and other recoverable costs, and to assert any other claims it holds against CS Mining, LLC.

Debtor CS Mining, LLC

Case number (if known) \_\_\_\_\_

**Part 4 Request for Relief**

**WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Petitioners request that an order for relief be entered against the debtor under the chapter of 11 U.S.C. specified in this petition. If a petitioning creditor is a corporation, attach the corporate ownership statement required by Bankruptcy Rule 1010(b). If any petitioner is a foreign representative appointed in a foreign proceeding, attach a certified copy of the order of the court granting recognition.

I have examined the information in this document and have a reasonable belief that the information is true and correct.

Petitioners or Petitioners' Representative

Attorneys

**Name and mailing address of petitioner**  
**R.J Bayer Professional Geologist, LC**

Name

**8842 Shady Meadow Drive**

|              |        |           |              |
|--------------|--------|-----------|--------------|
| Number       | Street |           |              |
| <b>Sandy</b> |        | <b>UT</b> | <b>84093</b> |
| City         |        | State     | Zip Code     |

**Name and mailing address of petitioner's representative, if any**

**Robert J. Bayer**

Name

**8842 Shady Meadow Drive**

|              |        |           |              |
|--------------|--------|-----------|--------------|
| Number       | Street |           |              |
| <b>Sandy</b> |        | <b>UT</b> | <b>84093</b> |
| City         |        | State     | Zip Code     |

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 06/02/2016

MM / DD / YYYY

  
Signature of petitioner or representative, including representative's title

**Martin J. Brill**

Printed name

**Levene, Neale, Bender, Yoo & Brill L.L.P.**

Firm name, if any

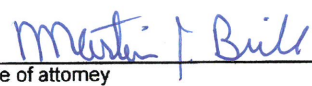
**10250 Constellation Blvd., Suite 1700**

|                    |        |           |              |
|--------------------|--------|-----------|--------------|
| Number             | Street |           |              |
|                    |        | <b>CA</b> | <b>90067</b> |
| <b>Los Angeles</b> |        | State     | Zip Code     |

|               |                       |       |                      |
|---------------|-----------------------|-------|----------------------|
| Contact phone | <b>(310) 229-1234</b> | Email | <b>MJB@LNBYB.com</b> |
|---------------|-----------------------|-------|----------------------|

Bar number **53220**

State **CA**

  
Signature of attorney

Date signed 06/02/2016

MM / DD / YYYY

Petitioners or Petitioners' Representative

Attorneys

**Name and mailing address of petitioner**  
**Minerals Advisory Group, LLC**

Name

**6914 N. Camino Martin Rd., Suite 120**

|               |        |           |              |
|---------------|--------|-----------|--------------|
| Number        | Street |           |              |
| <b>Tucson</b> |        | <b>AZ</b> | <b>85741</b> |
| City          |        | State     | Zip Code     |

**Name and mailing address of petitioner's representative, if any**

**Russell D. Alley**

Name

**6914 N. Camino Martin Rd., Suite 120**

|               |        |           |              |
|---------------|--------|-----------|--------------|
| Number        | Street |           |              |
| <b>Tucson</b> |        | <b>AZ</b> | <b>85741</b> |
| City          |        | State     | Zip Code     |

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 06/02/2016

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Signature of petitioner or representative, including representative's title

Official Form 205

Involuntary Petition Against an Individual

**Martin J. Brill**

Printed name

**Levene, Neale, Bender, Yoo & Brill L.L.P.**

Firm name, if any

**10250 Constellation Blvd., Suite 1700**

|                    |        |           |              |
|--------------------|--------|-----------|--------------|
| Number             | Street |           |              |
|                    |        | <b>CA</b> | <b>90067</b> |
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State **CA**

Signature of attorney

Date signed 06/02/2016

MM / DD / YYYY

Debtor CS Mining, LLC

Case number (if known) \_\_\_\_\_

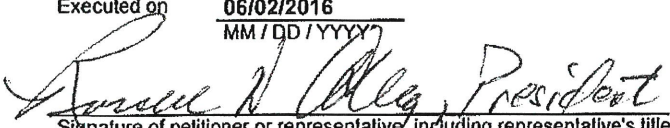
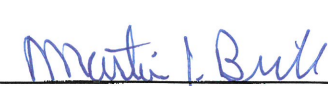
**Part 4 Request for Relief**

**WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Petitioners request that an order for relief be entered against the debtor under the chapter of 11 U.S.C. specified in this petition. If a petitioning creditor is a corporation, attach the corporate ownership statement required by Bankruptcy Rule 1010(b). If any petitioner is a foreign representative appointed in a foreign proceeding, attach a certified copy of the order of the court granting recognition.

I have examined the information in this document and have a reasonable belief that the information is true and correct.

| Petitioners or Petitioners' Representative   | Attorneys  |
|--|--|
| <b>Name and mailing address of petitioner</b><br><u>R.J Bayer Professional Geologist, LC</u><br>Name<br><br><u>8842 Shady Meadow Drive</u><br>Number Street<br><u>Sandy</u> <u>UT</u> <u>84093</u><br>City State Zip Code<br><br><b>Name and mailing address of petitioner's representative, if any</b><br><u>Robert J. Bayer</u><br>Name<br><br><u>8842 Shady Meadow Drive</u><br>Number Street<br><u>Sandy</u> <u>UT</u> <u>84093</u><br>City State Zip Code<br><br>I declare under penalty of perjury that the foregoing is true and correct.<br>Executed on <u>06/02/2016</u><br>MM/DD/YYYY<br><br>Signature of petitioner or representative, including representative's title | <b>Martin J. Brill</b><br>Printed name<br><br><u>Levene, Neale, Bender, Yoo &amp; Brill L.L.P.</u><br>Firm name, if any<br><u>10250 Constellation Blvd., Suite 1700</u><br>Number Street<br><u>Los Angeles</u> <u>CA</u> <u>90067</u><br>City State Zip Code<br>Contact phone <u>(310) 229-1234</u> Email <u>MJB@LNBYB.com</u><br><br>Bar number <u>63220</u><br><br>State <u>CA</u><br><br>Signature of attorney<br>Date signed <u>06/02/2016</u><br>MM/DD/YYYY |

| Petitioners or Petitioners' Representative   | Attorneys  |
|--|--|
| <b>Name and mailing address of petitioner</b><br><u>Minerals Advisory Group, LLC</u><br>Name<br><br><u>6914 N. Camino Martin Rd., Suite 120</u><br>Number Street<br><u>Tucson</u> <u>AZ</u> <u>85741</u><br>City State Zip Code<br><br><b>Name and mailing address of petitioner's representative, if any</b><br><u>Russell D. Alley</u><br>Name<br><br><u>6914 N. Camino Martin Rd., Suite 120</u><br>Number Street<br><u>Tucson</u> <u>AZ</u> <u>85741</u><br>City State Zip Code<br><br>I declare under penalty of perjury that the foregoing is true and correct.<br>Executed on <u>06/02/2016</u><br>MM/DD/YYYY<br><br><br>Signature of petitioner or representative, including representative's title<br>Official Form 205 | <b>Martin J. Brill</b><br>Printed name<br><br><u>Levene, Neale, Bender, Yoo &amp; Brill L.L.P.</u><br>Firm name, if any<br><u>10250 Constellation Blvd., Suite 1700</u><br>Number Street<br><u>Los Angeles</u> <u>CA</u> <u>90067</u><br>City State Zip Code<br>Contact phone <u>(310) 229-1234</u> Email <u>MJB@LNBYB.com</u><br><br>Bar number <u>63220</u><br><br>State <u>CA</u><br><br><br>Signature of attorney<br>Date signed <u>06/02/2016</u><br>MM/DD/YYYY |



Debtor CS Mining, LLC

Case number (if known) \_\_\_\_\_

Petitioners or Petitioners' Representative

Name and mailing address of petitioner  
**Rollins Construction & Trucking, Inc.**

Name

**P.O. Box 249, 1842 S Hwy 21**

Number Street  
**Milford UT 84751**  
City State Zip Code

Name and mailing address of petitioner's representative, if any

**Richard Rollins**

Name

**P.O. Box 249, 1842 S Hwy 21**

Number Street  
**Milford UT 84751**  
City State Zip Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **06/02/2016**  
MM / DD / YYYY

  
Signature of petitioner or representative, including representative's title

**member-owner**  
Petitioners or Petitioners' Representative

Name and mailing address of petitioner  
**Rollins Machine, Inc.**

Name

**P.O. Box 249, 1842 S Hwy 21**

Number Street  
**Milford UT 84751**  
City State Zip Code

Name and mailing address of petitioner's representative, if any

**Richard Rollins**

Name

**P.O. Box 249, 1842 S Hwy 21**

Number Street  
**Milford UT 84751**  
City State Zip Code

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **06/02/2016**  
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Signature of petitioner or representative, including representative's title

**President - member owner**

Attorneys

**Martin J. Brill**

Printed name

**Levene, Neale, Bender, Yoo & Brill L.L.P.**

Firm name, if any

**10250 Constellation Blvd., Suite 1700**

Number Street  
**Los Angeles CA 90067**  
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Contact phone **(310) 229-1234** Email **MJB@LNBYB.com**

Bar number **53220**

State **CA**

  
Signature of attorney

Date signed **06/02/2016**  
MM / DD / YYYY

Attorneys

**Martin J. Brill**

Printed name

**Levene, Neale, Bender, Yoo & Brill L.L.P.**

Firm name, if any

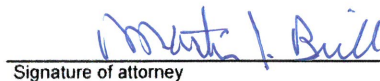
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Contact phone **(310) 229-1234** Email **MJB@LNBYB.com**

Bar number **53220**

State **CA**

  
Signature of attorney

Date signed **06/02/2016**  
MM / DD / YYYY

Debtor CS Mining, LLC

Case number (if known) \_\_\_\_\_

**Petitioners or Petitioners' Representative**

**Name and mailing address of petitioner**

**Oxbow Sulphur, Inc.**

Name Sulphur

**1601 Forum Place, 12th Fl.**

|                        |           |              |  |
|------------------------|-----------|--------------|--|
| Number                 | Street    |              |  |
| <b>West Palm Beach</b> | <b>FL</b> | <b>33401</b> |  |
| City                   | State     | Zip Code     |  |

**Name and mailing address of petitioner's representative, if any**

**Pierre E. Azzl**

Name

**1601 Forum Place, 12th Fl.**

|                        |           |              |  |
|------------------------|-----------|--------------|--|
| Number                 | Street    |              |  |
| <b>West Palm Beach</b> | <b>FL</b> | <b>33401</b> |  |
| City                   | State     | Zip Code     |  |

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **06/02/2016**

MM / DD / YYYY

Pierre Azzl, Legal Counsel  
Signature of petitioner or representative, including representative's title

**Attorneys**

**Martin J. Brill**

Printed name

**Levene, Neale, Bender, Yoo & Brill L.L.P.**

Firm name, if any

**10250 Constellation Blvd., Suite 1700**

Number Street

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|---------------|-----------------------|-------|----------------------|

Bar number **53220**

State **CA**

Signature of attorney

Date signed **06/02/2016**

MM / DD / YYYY

See next page for Local Counsel's contact information and signature

Debtor CS Mining, LLC

Case number (if known) \_\_\_\_\_

Local Attorney for Petitioning Creditors

George Hofmann

Printed name

Cohne Kinghorn, A Professional Corporation

Firm name, if any

111 East Broadway, 11th Floor

Number Street

Salt Lake City

UT

84111

City


State

Zip Code

Contact phone (801) 415-0132 Email ghofmann@cohnekinghorn.com

Bar number 10005

State UT

  
\_\_\_\_\_  
Signature of attorney

Date signed 06/022016  
MM / DD / YYYY